Attorney Docket No. 1322.0046DIV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Durward I. Faries, Jr. et al.

Serial No.:

10/849,251

Examiner:

Unknown

Confirmation No.: 7420

Art Unit:

3762

Filed:

May 20, 2004

For:

Temperature Sensing Device for Selectively Measuring Temperature at Desired

Locations Along an Intravenous Fluid Line

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Pursuant to the duty imposed by 37 C.F.R. §1.56 to disclose information which may be material to the patentability of the above-identified patent application, the Applicant(s) would like to direct the Examiner's attention to the documents listed on the enclosed Information Disclosure Citation Form (PTO/SB/08). In accordance with this duty of disclosure, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

 §1.98(a)(2)(i) for applications filed after June 30, 2003. Copies of the listed foreign patent documents and/or non-patent literature are enclose herewith. No copies of the publications listed on the attached Form PTO/SB/08A being provided pursuant to 37 C.F.R. §1.98(d) because the publication were previously cited by or submitted to the Office in prior Application 	Form PTO/SB/08 is enclosed.
being provided pursuant to 37 C.F.R. §1.98(d) because the publication were previously cited by or submitted to the Office in prior Application Serial No. 09/973,988 to which the above-identified application claims	copies of the listed U.S. Patents and/or U.S. patent application publications pursuant to the waiver of the requirement under 37 C.F.R. §1.98(a)(2)(i) for applications filed after June 30, 2003. Copies of the listed foreign patent documents and/or non-patent literature are enclosed
	No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. <u>09/973,988</u> to which the above-identified application claims priority under 35 U.S.C. §120.

	in a fore	tion(s) listed on the attached Form PTO/SB/08A were cited eign search or examination report corresponding to ion serial no and mailed on
	§609 of	d is a copy of a non-English publication(s) Pursuant to the M.P.E.P., Applicant submits the attached foreign search or ation report, which cites such non-English language publication(s).
	languag	d is a copy of a non-English publication(s) English e publication (copy enclosed) claims priority from this non-publication.
		d is an explanation of non-English publication(s) for which ish translation is not available.
		d is an English translation of non-English publication(s) ted in the attached Form PTO/SB/08A.
	Enclose	d is a copy of pending patent Application Serial No
This Ir time periods:	nformatio	on Disclosure Statement is filed within any one of the following
		within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
		within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
	□ 1	before the mailing date of a first office action on the merits; or
		before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

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The Commissioner is hereby authorized to charge payment of any fees required for the above-identified application or credit any overpayment to Deposit Account No. 05-0460.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application.

Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted by

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

By:

Dated: 11005

EDELL, SHAPIRO & FINNAN, LLC CUSTOMER NO. 27896 1901 Research Boulevard, Suite 400 Rockville, MD 20850 (301) 424-3640 EDELL, SHAPIRO & FINNAN, LLC

Stuart B. Shapiro Reg. No. 40,169

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Sub	stitute for form 14	49A/PT()	RADEMA Complete if Known		
				Application Number	10/849,251	
INFORMATION DISCLOSURE				Filing Date	May 20, 2004	
STATEMENT BY APPLICANT				First Named Inventor	Durward I. Faries, Jr.	
				Group Art Unit	3762	
(use as many sheets as necessary)			necessary)	Examiner Name	Unknown	
Sheet	1	of	1	Attorney Docket Number	1322.0046DIV	

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	U.S. Patent Do	cument		Date of Publication of Cited	
		Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Document MM-DD-YYYY	
		1,479,451		Buckstein	01-01-1924	
		4,009,615		Ruhl	03-01-1977	
		4,121,574		Lester	10-24-1978	
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Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Betantag on Applicant of Cited	Date of Publication	
		Office ³	Number ⁴	Kind Code ⁵ (if known)	Name of Patentee or Applicant of Cited Document	of Cited Document MM-DD-YYYY	Té
		FR	2711393 (with Abstract)	Al	Bezkorowajnyj	04-28-1995	
		DE	37 09 122	Al	Lang	09-29-1988	/
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Examiner	Date	
Signature	 Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.
² See attached Kinds of U.S. Patent Documents.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).
⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached.